

JMT

Tom A. Schatz, President  
Citizens Against Government Waste  
1301 Connecticut Avenue, NW, Suite 400  
Washington, D.C. 20036

*I am in favor  
of this*

*Mrs. T. M. Herrick*

Ms. T. M. Herrick  
1500 Terrace Ave. Apt. 112  
Liberal, KS 67901-5702

Dear Ms. Herrick,

Your response to this letter today will not only put a stop to \$35 million in government waste, it may also be the single best way you can help stimulate America's economy and protect this nation's and your own financial future.

I need to ask you today to send an urgent message to the U.S. Department of Justice (DOJ) that you support the proposed settlement of the Microsoft lawsuit.

Under a federal antitrust law called the Tunney Act, there is a 60-day period for public comment before the U.S. District Court decides whether to accept the settlement. This period will expire on January 28th.

By sending your message to DOJ, you can help put an end to the government's long-running legal assault on Microsoft, which has cost taxpayers more than \$35 million and undermined one of the primary engines of America's economic growth.

Let me tell you what's going on and why it's urgent that you send DOJ a message right away that you support the Microsoft settlement.

On November 6, 2001, Microsoft reached a proposed settlement with DOJ and nine states in the antitrust lawsuit against the company. The terms of the settlement, briefly, are as follows: Computer manufacturers would be free to include non-Microsoft software in their products. Microsoft would alter its products, including the new Windows XP, to make it easier for consumers to substitute non-Microsoft programs in the Windows operating system. Microsoft would be required to share its programming code with competitors so their software for video streaming, digital photography and other features would be compatible with Windows.

In addition, a three-member Technical Committee would be established, at Microsoft's expense, to monitor the company's behavior and enforce the settlement for the next five years. Should the company be found in violation of the terms of the settlement, it can be extended for another two years.

The proposed settlement is a win-win for all concerned. It's fair to:

- Microsoft, which will continue to be able to provide new software that integrates new products;

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- competitors, who will have more access to the Windows platform to incorporate their products or make them compatible;
- software manufacturers, who will get back to the business of creating innovative products;
- consumers, who will have more choices among software products; and,
- investors, who will have stability in the marketplace.

Opponents of the settlement — primarily Microsoft's well-heeled competitors who lobbied DOJ and the states to bring this lawsuit on the backs of taxpayers in the first place — have launched a massive campaign to prevent the court from accepting the agreement. They want nothing less than the dismantling of Microsoft, and they want taxpayers to continue to pay to secure a competitive advantage they couldn't win in the marketplace.

That's why I urgently need you to send a strong message to DOJ today that you support the Microsoft settlement.

By visiting CAGW's website at [www.cagw.org](http://www.cagw.org), you can e-mail a letter to DOJ, telling the government that you support the settlement. DOJ has specifically stated that they would prefer to receive comments electronically, so that's why I'm taking the extraordinary step of asking you to visit our website today and send an e-mail to DOJ. All you need to do is go to CAGW's homepage at [www.cagw.org](http://www.cagw.org), click onto the "Approve the Microsoft Settlement" link on the top right-hand side of the page, and follow the instructions to e-mail your letter. It will just take a few minutes of your time.

If, however, you prefer to fax your comments in support of the settlement to DOJ, you may fax them to the attention of Ms. Renata B. Hesse at (202) 307-1454 or (202) 616-9937.

The most important point is that you tell DOJ you support the Microsoft settlement and that you do it right away before the comment filing period ends on January 28th.

To date, the Microsoft lawsuit has cost taxpayers more than \$35 million. As the District Court Judge presiding over the case has said, "In light of the recent tragic events affecting our nation... the benefit which will be derived from a quick resolution of these cases [is] increasingly significant." Please tell DOJ to approve the settlement today. Thank you.

Sincerely,

*Tom Schatz*

Thomas A. Schatz  
President, CAGW

P.S. Help put an end to \$35 million in government waste. Tell DOJ that as a taxpayer and consumer you support the Microsoft settlement, and please get your message off to them today. Time is running out.